Response provided under the delegated authority of the Executive Director for Place

Planning Manager
Amber Valley Borough Council
PO Box 15, Town Hall, Market Place
RIPLEY
Derbyshire
DE5 3XE

Highway Officer: Steve Dudhill
Our ref: AVBC/2026/016716/R3
Your ref: AVA/2026/0170
Date: 12 June 2026

Dear Ms Anthony,

TOWN AND COUNTRY PLANNING ACT 1990
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015
ARTICLE 18 CONSULTATION WITH HIGHWAY AUTHORITY

PROPOSAL: Conversion of Retail Premises to 12 Bedroom HMO (Sui Generis)

LOCATION: 14 New Street Somercotes Alfreton Derbyshire DE55 4HW

Derbyshire County Council, the Highway Authority acting in its role as Statutory Consultee, has undertaken a full assessment of this planning application. Based on the appraisal of the development proposals the Highways Development Management Manager on behalf of the County Council, under Article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, has no objection subject to conditions.

Background

The highway authority's most recent formal observations on this planning application, in which planning conditions were recommended, were issued on 7/5/26.

Further information was subsequently submitted, as follows:

1. By email dated 11/5/26, the applicant provided a written response to the highway authority's 7/5/26 observations, an updated site plan, and a construction traffic management plan (CTMP). These submissions sought to avoid the need for the 5th, 6th, 7th, and 8th planning conditions recommended in the highway authority's 7/5/26 observations.

2. Emails dated 12/5/26 and 22/5/26 indicated that resurfacing works would be undertaken on New Street on the 1st and 2nd of June 2026 (the "New Street works"). The applicant suggested that such works would address those requirements in the 3rd planning condition recommended in the highway authority's 7/5/26 observations

(the "3rd condition") which related to the need for resurfacing/repairs of parts of New Street and the western footway along the B600 which fronts New Street.

3. A further written response, submitted under the Local Planning Authority's (LPA's) email dated 8/6/26, in which the applicant explains a delay in the New Street works and sought to demonstrate no need for the works to New Street as required in the 3rd condition.

Assessment

3rd Condition – Works to New Street

Points 2 and 3 above both relate to the 3rd condition. The highway authority's observations are set out below.

The information submitted on 8/6/26 confirms that the County Council's Network Management team has indicated that the New Street works have been re-scheduled to dates which are "likely to be 6th & 7th of July". However, the official date is not confirmed and remains uncertain.

No details of the scope of the New Street works have been provided. It is not therefore possible to determine whether such works would address the specific requirements set out in the 3rd condition, nor how such works might interface with the application site.

The LPA may wish to determine this planning application prior to the New Street works being undertaken. If so, given the above uncertainties in relation to scheme details and programme, the highway authority continues to recommend that the 3rd condition should be attached to the decision notice.

If the New Street works are undertaken following determination of the planning application and prior to the applicant applying to discharge the 3rd condition, the highway authority would consider to what extent the New Street works obviate the need for those works specified in the 3rd condition and advise what, if any, further works the applicant should undertake accordingly.

If the New Street works are undertaken prior to the determination of this planning application, the highway authority would be able to assess those works, reassess the scope of the 3rd condition, advise whether that condition should remain as drafted, or recommend an appropriate alternative.

5th Condition – Car Parking Specification

The site plan submitted on 11/5/26 shows three car parking spaces on a tarmac-surfaced parking area. It is not possible for the highway authority to pre-judge the detailed scheme design which would be addressed via the highway agreement which would be required if, and after, planning permission is granted.

The planning application location plan shows that the site boundary, where it bounds the parking area, runs from the north-western corner of the on-site building to the north-eastern corner of the building to the west of the application site. The alignment

of the proposed kerbs and “ACO” drain shown on the site plan do not therefore correctly follow the site boundary.

What appear to be kerb/footway details on New Street shown on the site plan are also not representative of conditions on the ground.

Given also the uncertainty over the scope of the New Street works and the interface between the New Street and on-site works, and the requirements of subsequent conditions (see below), it is not possible for the highway authority to confirm that the site plan addresses the requirements of the pre-approval elements of recommended planning conditions 3 (item a)) or 5 at this stage.

6th Condition – Cycle, EV Charging, and Bin Details

Whilst the applicant’s site plan shows an appropriate approach to the principle of EV charging provision, no detail has been provided on the EV charger specifications. There remains insufficient information and details in relation to cycle and bin storage (as explained in the highway authority’s 7/5/26 observations).

The site plan does not therefore address the pre-approval element of the 6th condition.

Details of cycle and bin storage, once properly addressed, may affect the car parking layout and would therefore affect the extent to which the site plan satisfies the pre-approval element of the 5th condition.

7th Condition – Drainage Feature

See comments on 5th condition earlier.

8th Condition – Construction Traffic Management Plan (CTMP)

The submitted CTMP is largely aspirational, setting out principles rather than fully or properly addressing, in detail and with firm commitments, all items a) to k) set out in the 8th condition and the associated informatives as recommended in the highway authority’s 7/5/26 observations. For example:

Item a) – the CTMP contains no estimates of construction car parking demands and does not appear to have been prepared with the benefit of contractor input in this respect.

Items b), g), and i) – the CTMP contains no plan showing how site accommodation, loading/unloading, waste/refuse storage, parking and turning provision, and hoardings/fencing/barriers will all be accommodated within the site, as implied by the CTMP, clear of New Street. The CTMP does not therefore confirm that the parking area is sufficient to accommodate all the activities/requirements anticipated to require such space by the CTMP. The CTMP therefore provides no confidence that construction traffic will not be required to reverse out of New Street onto the B600.

Items c) and f) - the CTMP does not refer to any agreement with the County Council’s Network Management team in relation to any traffic management requirements to maintain free and safe passage of vehicles and pedestrians along

New Street when the proposed development is being implemented. This includes when works are being undertaken to the north elevation of the building, which directly abuts the highway and where provision of safe working space required for contractors may reduce the carriageway width and adversely affect movement along New Street.

Item d) – the CTMP states that delivery times will “where practicable” be outside highway peak periods and makes no commitment in relation to construction staff movements, which is insufficient.

Item e) – there are no proposals for restrictions on sizes of construction/delivery vehicles (see also comments on item b) above).

Item j) – no details of site hoardings, fences, or gates are provided.

Item k) – the CTMP includes no specific proposals for positively communicating the CTMP to staff, visitors, or local residents and businesses.

The submitted CTMP is not therefore satisfactory.

Conclusion

Justification for the planning conditions recommended in the highway authority’s 7/5/26 observations is fully set out in those observations and those issued on 13/4/26.

The further information submitted by the applicant does not satisfy the pre-approval elements of the recommended conditions.

The highway authority therefore continues to recommend that the planning conditions and informatives in its 7/5/26 observations should be attached to the decision notice if planning permission is granted.

SD; DCC TDM; 12/6/26.